

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DONALD DEHAR,

Plaintiff,

Case Number: 07-11584

v.

HONORABLE AVERN COHN

BOULTON. Sergeant, ROMANOWSKI,
Deputy, SALAY, Deputy, HUNT,
Lieutenant,

Defendants.

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ORDER DENYING PLAINTIFF'S REQUEST FOR EMERGENCY RELIEF

This is a prisoner civil rights case under 42 U.S.C. § 1983. Plaintiff Donald Dehar, proceeding pro se and in forma pauperis, filed a complaint claiming that defendants violated his constitutional rights while he was lodged at the Genesee County Jail on request of US Marshals. Plaintiff specifically claimed defendants violated his rights under the First Amendment by failing to provide him with grievance forms and opening his legal mail and destroying letters, thereby denying him access to the courts. Plaintiff also claims a violation of the Eight Amendment, alleging he was stripped naked in a cell for 21 days, given moldy food, and was assaulted by defendants. The case was referred to a magistrate judge for all pre-trial proceedings. Defendants filed a motion for summary judgment. The magistrate judge issued a report and recommendation (MJRR) recommending that defendants' motion be granted. Plaintiff objected to the MJRR. On April 15, 2008, the Court overruled his objections and granted defendants' motion for summary judgment and dismissed the case. A judgment of dismissal entered on April 15, 2008.

On November 26, 2008, plaintiff filed a paper requesting emergency relief. From what can be gleaned, plaintiff says that defendants, and other personnel at the Genesee County Jail, are continuing to harass him and otherwise violate his civil rights. He seeks emergency relief in the form of a personal protection order, injunction, and money damages.

This case is closed. There is no basis for granting the relief plaintiff seeks under the circumstances. Plaintiff's request is therefore DENIED. Should plaintiff wish to pursue his claims against the individuals named in his paper, he should file a separate complaint under 42 U.S.C. § 1983.

SO ORDERED.

Dated: December 19, 2008

s/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was mailed to Donald Dehar 712468, Genesee County Jail, 1002 S. Saginaw, Flint, MI 48502 and the attorneys of record on this date, December 19, 2008, by electronic and/or ordinary mail.

s/Julie Owens
Case Manager, (313) 234-5160